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ORDINANCE NO. 3393

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC CHAPTER 7.60 COMBINED UTILITIES TO ADD A NEW SECTION 7.60.030 UTILITY ASSISTANCE FUND IN ORDER TO PROVIDE FOR THE ASSISTANCE OF THE LOW-INCOME ELDERLY AND DISABLED PERSONS, APPROPRIATING START-UP MONIES TO THE FUND, PROVIDING FOR CHARITABLE AND CIVIC DONATIONS AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the Washington State Constitution Article 8, Section 7, prohibits cities from giving money to persons and individuals, providing an exception for the assistance of the “poor and infirm”, and

WHEREAS, the assistance of low-income elderly and disabled persons is a valid use of the City’s General Fund monies, but except to the extent through which state statute provides for decreased utility fees for the low-income, elderly and disabled the care of poor and infirm is not a concept which is used to require other rate payers to provide for the assistance of low-income, elderly and disabled persons; and

WHEREAS, the City Council wishes to establish a utility assistance fund to assist the low-income, elderly and disabled with connection fees, utility charges, certain capital costs and other expensive measures which may be necessary in order for the utility patron to meet his/her obligation as a rate payer and receive utility service thereby providing a benefit to the public health, safety and welfare, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. The Edmonds City Code Chapter 7.60 Combined Utilities is hereby amended by the addition of a new section 7.60.030 Utility Assistance Fund to read as follows:

7.60.030 Utility Assistance Fund.

A. Purpose. The City Council establishes the Utility Assistance Fund in order to accept, hold and dispense funds contributed either from the City's General Fund, from charitable and civic organizations or from individual rate-payers who have made donations for the assistance of a category of citizens known under Article 8, Section 7 of the Washington State Constitution as the "poor and infirm" and under other provisions of other state statutes and local ordinance as the low-income, elderly and disabled.

B. Disbursement. Such monies as are contributed shall be held and disbursed to persons qualifying for the assistance programs established by ECC 7.30.070 and the provisions of state law incorporated in that section. Disbursements may be made, to the extent of monies held within the fund, for utility charges, connection fees, and other exactments levied by the utilities which, taken as whole, constitute the combined utility. The monies may be expended for purposes which generally benefit the public health, safety and welfare or are designated by the donor of the fund.

C. The Administrative Services Director or his/her designee is hereby authorized to adopt forms and procedures for the acceptance of contributions to the fund and for the disbursement of monies from the fund.

Section 2. The City Council hereby appropriates as seed money for the Utility Assistance Fund established by ECC Section 7.60.030 and Section 1 of this ordinance in the amount of Four Thousand dollars (\$4,000.00). Such appropriation is made from the Council Contingency Fund No. 119 to the Utility Assistance Fund No. 625. The Mayor is further requested to notify citizens of the existence of the Fund through utility mailers and, particularly

in the winter months, to notify citizens of the existence of the Utility Assistance Fund and otherwise seek out contributions.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY

W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	03/01/2002
PASSED BY THE CITY COUNCIL:	03/05/2002
PUBLISHED:	03/15/2002
EFFECTIVE DATE:	03/20/2002
ORDINANCE NO. <u>3393</u>	

SUMMARY OF ORDINANCE NO. 3393

of the City of Edmonds, Washington

On the 5th day of March, 2002, the City Council of the City of Edmonds, passed Ordinance No. 3393. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC CHAPTER 7.60 COMBINED UTILITIES TO ADD A NEW SECTION 7.60.030 UTILITY ASSISTANCE FUND IN ORDER TO PROVIDE FOR THE ASSISTANCE OF THE LOW-INCOME ELDERLY AND DISABLED PERSONS, APPROPRIATING START-UP MONIES TO THE FUND, PROVIDING FOR CHARITABLE AND CIVIC DONATIONS AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 6th day of March, 2002.

CITY CLERK, SANDRA S. CHASE